

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

EDWARD BAILEY,

Plaintiff,

v.

**MULTNOMAH COUNTY SHERIFF, and
MICHAEL REESE, et al.,**

Defendants.

Case No. 3:22-cv-00429-YY

**ORDER ADOPTING JUDGE YOU'S
FINDINGS AND
RECOMMENDATIONS**

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Jenny M. Madkour, County Attorney for Multnomah County, and Veronica R. Rodriguez and B. Andrew Jones, Assistant County Attorneys for Multnomah County, 501 SE Hawthorne, Ste 500, Portland, OR 97223. Attorneys for Defendants.

IMMERGUT, District Judge.

United States Magistrate Judge Youlee Yim You issued her Findings and Recommendations ("F&R") in this case on December 5, 2023. ECF 90. Judge You recommended granting Defendants' Motion for Summary Judgment, ECF 61. Judge You allowed the parties until December 29, 2023 to file objections, an additional ten days on top of the fourteen days allotted under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure

72(b)(2). *Id.* Plaintiff sought several extensions of time, which this Court granted, ECF 94, 98, 101, ultimately setting March 15, 2024 as the deadline for filing objections. Neither party has filed objections. Plaintiff has moved for another extension of time, ECF 105, which this Court DENIES in light of its evaluation of the merits of Judge You’s F&R. This Court has reviewed the F&R and finds it correct, well-reasoned, and thorough, and accordingly adopts it in full.

STANDARD OF REVIEW

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R that are not objected to. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

CONCLUSION

This Court has reviewed de novo the record and Judge You’s F&R, ECF 90, and adopts the F&R in full. Defendants’ Motion for Summary Judgment, ECF 61, is GRANTED, and this case is DISMISSED with prejudice.

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IT IS SO ORDERED.

DATED this 18th day of March, 2024.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge